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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/711,161	08/28/2004	Johan Hederstierna	7589.188.PCUS00	5160

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EXAMINER

BURCH, MELODY M

ART UNIT	PAPER NUMBER
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3683

MAIL DATE	DELIVERY MODE
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07/29/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/711,161	Applicant(s) HEDERSTIERNA, JOHAN	
	Examiner Melody M. Burch	Art Unit 3683	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 April 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 18-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 18-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>2/27/08</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 18-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 1746217 to Jansson in view of US Patent 5271678 to Bourgeot.

Re: claims 18. Jansson shows in figure 2 a leaf spring mounting assembly capable of being used for a bogie-type vehicle comprising a bracket 6,11,15 and having a generally tubular neck member 11 which extends horizontally, a leaf spring support member 16 mounted on the neck member, the leaf spring support member having a conical interior surface at each longitudinal end thereof as shown, a conical bearing element 9 disposed between each of the conical interior surfaces of the leaf spring support member and the neck member so as to provide bearing support to the leaf spring support member on the neck member, wherein the bearing elements are concentric with the neck member and longitudinal axes of the bearing elements extend horizontally whereby vehicle weight induced loads are imparted to the bearing elements perpendicularly to the longitudinal axes thereof as shown.

Jansson describes the invention substantially as set forth above including the use of singular conical bearing elements, but is silent with regards to the conical bearing

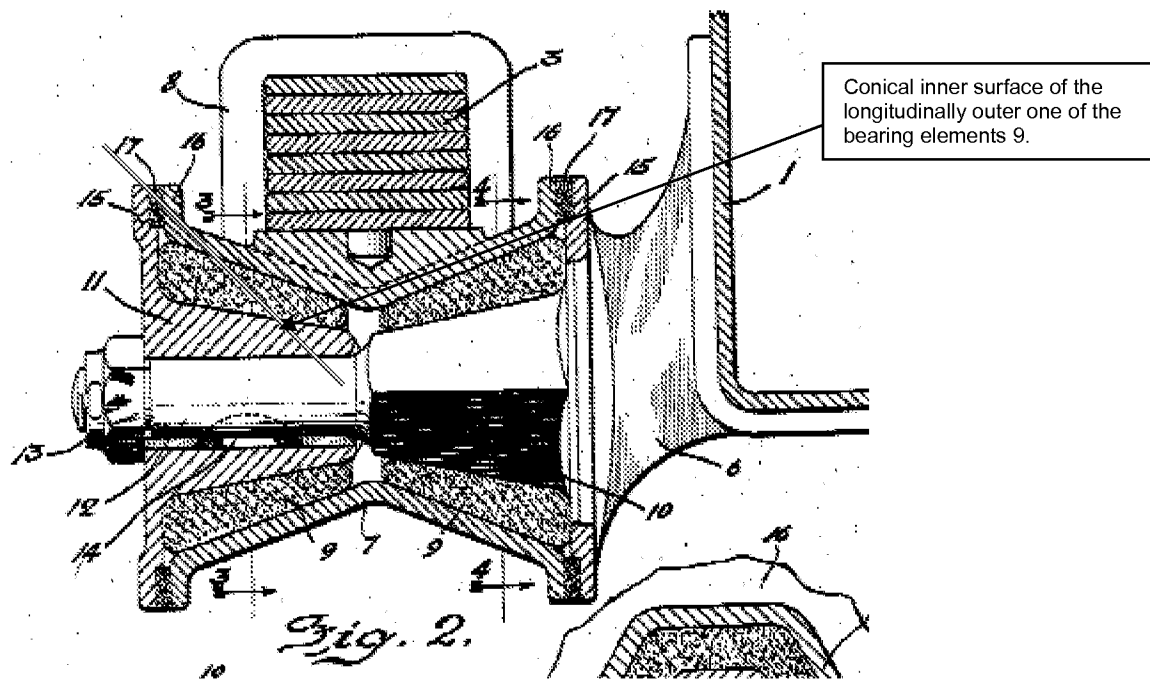
elements each comprising a nested plurality of conical supporting elements with conical liner members therebetween.

Bourgeot teaches in figure 1 the use of conical bearing element 5 comprising a nested plurality of conical supporting elements 7a,7b...7n or elements 6 with conical liner members 6 or elements 7a,7b...7n therebetween.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the conical bearing elements of Jansson to have included a nested plurality of conical supporting elements with conical liner members, as taught by Bourgeot, in order to provide a means of permitting a level of resilient support but also to provide a means of reinforcing the support with liners to increase the structural integrity of the assembly.

Re: claim 19. Jansson, as modified, teaches in figure 2 of Jansson the limitation wherein the neck member shown in the area at the end of the lead line of "11" has a conical portion at a longitudinally inner end thereof with which a longitudinally inner one of the bearing elements is completely engaged in flush mating fashion as shown in figure 2 in the area above the end of the lead line of number "11".

Re: claim 20. Jansson, as modified, teaches in figure 2 the limitation wherein the neck member has a cylindrical portion 15 and the area above the end of the lead line of "15" at a longitudinally outer end thereof and wherein the assembly further comprises a ring-shaped seal 17 member disposed between a conical inner surface of a longitudinally outer one of the bearing elements and the cylindrical portion of the neck member. See annotated figure 2 for clarification.



Re: claim 21. Jansson, as modified, teaches in figure 2 of Jansson the limitation wherein the bearing elements are preloaded by compression between the seal member and the conical portion of the neck member using the same reasoning as set forth above in the annotated figure 2.

Re: claim 22. Jansson, as modified, teaches in figure 2 further comprising a longitudinally outer locking member 13 which secures the seal member in position.

Re: claims 23-25. Jansson, as modified, teach in Bourgeot the use of the conical supporting elements being made of metal as taught in col. 3 line 37 or composite

material as taught in col. 7 lines 67-68, or the liner members being made from rubber as taught in col. 3 lines 44-45.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the materials of the supporting elements or the liners to have been metal, composite, or rubber as taught by Bourgeot, in order to provide a means of providing bearing elements that are either resilient and/or structurally reliable.

3. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 1746217 to Jansson in view of US Patent 5271678 to Bourgeot, as applied to claim 18 above, and further in view of US Patent 3305281 to Dumpis.

Jansson, as modified, lacks the limitation of the bearing elements being made from plastic.

Dumpis teaches the use of a bearing element being made of plastic. See col. 2 lines 15-16.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the bearing elements of Jansson, as modified, to have been made of plastic, as taught by Dumpis, in order to provide a means of reducing friction and permitting smooth contact between elements.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melody M. Burch whose telephone number is 571-272-7114. The examiner can normally be reached on Monday-Friday (6:30 AM-3:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Siconolfi can be reached on 571-272-7124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3683

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

mmb

July 19, 2008

/Melody M. Burch/

Primary Examiner, Art Unit 3683